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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JOHNSON & JOHNSON HEALTH CARE
SYSTEMS INC.,

Plaintiff,

v.

SAVE ON SP, LLC,

Defendant.

Case No. 2:22-cv-02632-JMV-CLW

**CERTIFICATION OF COUNSEL
IN SUPPORT OF DEFENDANT'S MOTION TO PARTIALLY STAY DISCOVERY**

I, E. Evans Wohlforth, Jr., Esq, of full age, hereby certify and state:

1. I am an attorney at law in the State of New Jersey and am admitted to practice in this Court. I am a Director at Gibbons P.C., which represents defendant Save On SP, LLC ("SaveOn") in this action. I am therefore fully familiar with the facts set forth herein.

2. I note, at the outset, that this Motion is being filed in accordance with the

Stipulation and Order Regarding Briefing Schedule so-ordered by the Court on August 22, 2022 (ECF No. 40). For avoidance of doubt, and as reflected in certain of the exhibits enumerated below, I have conferred with plaintiff's counsel by phone and email, most recently on August 19, 2022, in a good faith effort to resolve the issues that are the subject of the instant motion, but the parties have been unable to reach agreement.

3. Annexed hereto as Exhibit 1 is a true and accurate copy of plaintiff Johnson & Johnson Health Care Systems Inc.'s ("JJHCS") First Set of Requests for Production dated May 11, 2022.

4. Annexed hereto as Exhibit 2 is a true and accurate copy of a certified transcript of the August 16, 2022, telephone conference in this action before the Honorable Cathy L. Waldor, U.S.M.J.

5. Annexed hereto as Exhibit 3 is a true and accurate copy of an email chain between myself and Jeffrey Greenbaum, Esq., counsel for JJHCS, that encompasses emails dated between June 7, 2022, and June 10, 2022.

6. Annexed hereto as Exhibit 4 is a true and accurate copy of an email chain between myself and Jeffrey Greenbaum, Esq., dated August 19, 2022.

7. Annexed hereto as Exhibit 5 is a true and accurate copy of my letter to Jeffrey Greenbaum, Esq., dated June 15, 2022.

8. Annexed hereto as Exhibit 6 are true and accurate copies of excerpts from the Civil Justice Reform Act Reports, Publication Table Number 8 ("CJRA 8"), reflecting Reports Of Motions Pending Over Six Months, for the Honorable John Michael Vazquez, U.S.D.J., from March 31, 2022, September 30, 2021, March 31, 2021, September 30, 2020, and March 31, 2020.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: Newark, New Jersey
September 2, 2022

/s/ E. Evans Wohlforth, Jr.

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